

Application No.: 10/614,122

Docket No.: 2729-159

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1 and 4-10 are pending in the application. Claim 1 has been amended to include claims 2 and 3, now cancelled. Claims 1, 5-8 and 10 have also been amended to improve claim language. Claims 2, 3, 11, and 12 have been cancelled without prejudice or disclaimer. No new matter has been introduced through the foregoing amendments.

The 35 U.S.C. 102(b) rejection of claims 1 and 10 as being anticipated by *Shinoda* (JP 09324962) is believed overcome in view of the above amendments. In particular, claims 1 and 10 now include claims 2 and 3 which are not rejected as being anticipated by *Shinoda*. *Shinoda* does not teach or suggest the features of original claims 2 and 3 that the coupling portion is pressed toward the inside of the body and the protruding portion is formed by pressing the body inwardly. *Shinoda* only discloses a flat body type receiver-drier as shown in FIG. 1 of the instant application.

The 35 U.S.C. 102(a) rejection of claims 1, 2, 10 and 12 as being anticipated by *Hiihama* (JP2002107009) is noted. The rejection of at least claim 2 is traversed, because *Hiihama* clearly fails to teach or suggest the limitation of original claim 2 that a thread is provided on the inner surface of the pressed body. See FIG. 2 of *Hiihama*. In addition, the Examiner's reliance on elements 39/67 of *Hiihama* for the claimed coupling portion is deemed inaccurate, because elements 39/67 are not part of the body 27.

Notwithstanding the above, amendments have been made to further define the claimed invention over *Hiihama*. In particular, claims 2 and 12 have been cancelled, and claims 1 and 10 now include claim 3 which is not rejected as being anticipated by *Hiihama*. *Hiihama* does not teach or suggest the feature of original claim 3 that the protruding portion is formed by pressing the

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body inwardly. *Hiihama*, like *Shinoda*, only discloses a flat body type receiver-drier as shown in FIG. 1 of the instant application. It should be noted that the above amendments have been made solely for the purpose of expediting prosecution and are not necessitated by the Examiner's rejections.

The 35 U.S.C. 103(a) rejection of claims 4-8 as being obvious over *Shinoda* or *Hiihama* in view of *Bernini* (U.S. Patent No. 6,446,463) is noted. The rejection of at least claims 5-8 is traversed because a prima facie case of obviousness has not been established by the Examiner.

The Examiner has not pointed out with any reasonable clarity where in the references the features of claims 5-8 can be found. Applicants respectfully submit that *Bernini* fails to teach or suggest the claimed rib (claim 5), groove (claim 6), multiple protruding portions contacting the upper and lower surfaces of the ring (claim 7), and acute angle portion (claim 8). If the Examiner insists otherwise, he is kindly asked to cite column and line numbers of *Bernini* where the claimed features might be found or suggested.

Applicants further submit that the sealing ring of *Bernini* cannot be modified to include the features of claims 5-8, lacking an adequate suggestion or motivation in the art. In particular, a person of ordinary skill in the art would not have been motivated to modify the sealing ring of *Bernini* to include the claimed rib (claim 5), groove (claim 6), multiple protruding portions contacting the upper and lower surfaces of the ring (claim 7), and acute angle portion (claim 8). If the Examiner insists otherwise, he is kindly asked to cite references of good date where the claimed features might be found or suggested.

As to claim 8, the Examiner's design choice rationale might be valid only if the claimed feature was known in the art prior to the present invention. The current art of record does not support the Examiner's allegation.

Notwithstanding the above, amendments have been made to further define the claimed

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invention over the applied references. In particular, by virtue of their dependency on claim 1, claims 4-8 now include claim 3 which recited a limitation that is not disclosed, taught or suggested by any of the applied references, i.e., *Shinoda*, *Hiihama* and *Bernini*. It should be noted that the above amendments have been made solely for the purpose of expediting prosecution and are not necessitated by the Examiner's rejections.

The 35 U.S.C. 103(a) rejection of claim 9 as being obvious over *Shinoda* or *Hiihama* is believed overcome in view of the above amendments. In particular, by virtue of its dependency on claim 1, claim 9 now includes claim 3 which recited a limitation that is not disclosed, taught or suggested by any of the applied references, i.e., *Shinoda* and *Hiihama*.

The 35 U.S.C. 103(a) rejection of claims 3 and 12 as being obvious over *Shinoda* or *Hiihama* in view of *Kato* (U.S. Patent No. 6,295,832) or *Yamazaki* (U.S. Patent No. 6,494,059) is noted. This rejection will be addressed with respect to amended claim 1 which now includes the subject matter of claim 3. The rejection is traversed, because, contrary to the Examiner's allegation, *Kato* and *Yamazaki* do not fairly teach or suggest the claimed limitation of original claim 3.

In particular, the protruding portion 17a shown in FIG. 6 of *Kato* supports the inner and outer tubes 16, 17 rather than the filter. Thus a person of ordinary skill in the art upon learning of the teaching of *Kato* would not have been motivated to modify element 11b of *Shinoda* or element 59 of *Hiihama* because elements 11b of *Shinoda* and element 59 of *Hiihama* are arranged to perform functions different than that of element 17a of *Kato*.

The unnumbered element/groove in FIG. 9 of *Yamazaki*, which the Examiner is apparently relying on for the claimed feature, is not disclosed or shown or suggested to be a supporting portion at all. It is even unclear as to the function, if any, that the unnumbered element/groove may perform. Therefore, a person of ordinary skill in the art would not have been motivated to modify elements 11b of *Shinoda* and element 59 of *Hiihama* with *Yamazaki* in the manner the Examiner's

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proposed because *Yamazaki* is silent on any positive effect the modification may have.

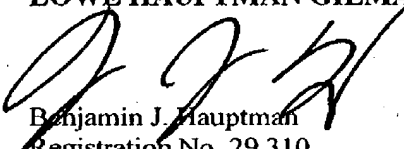
Amended claim 1 is thus patentable over the applied art of record. Claims 4-10 depend from claim 1, and are considered patentable at least for the reason advanced with respect to amended claim 1. Claims 4-10 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art, as discussed in detail above.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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